

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 137 OF 2005

EUDOCIA TIMOTINA NORONHA, VEREM
GOA.

....Applicants

Versus

STATE OF GOA
THROU'DY.COLLECTOR(DEV).& L.A.O.&
ANR

....Respondents

Ms. T. Colaco, Advocate For The Applicant.

Mr. H. R. Bharne, Govt. Advocate For The Respondents.

Coram:- S.S. PARKAR, J.

Date:- 17th June, 2005

P.C.

This is an application made by the applicant for payment of the amount of compensation at the rate of Rs.230/- per sq. metre in respect of Chalta No.4(1) of P.T. Sheet No.148 of City Survey, Panaji admeasuring 1915 sq. metres, along with the consequential statutory benefits. In the reply dated 15.6.2005, filed by the respondents, it is stated that so far as the said land is cncerned, the respondents have deposited in this Court a sum of Rs.9,82,547/- and they have still to deposit a sum of Rs.7,40,314/-.

The respondents have no objection to the applicant withdrawing the sum of Rs.9,82,547/- along with the accrued interst in respect of Chalta No.4(1) of P.T. Sheet No.148. The respondents also seek permission to deposit the remaining amount of Rs.7,40,314/- in this Court. Out of the total amount of Rs.14,67,656/- deposited by the respondents in this Court, Rs.4,85,109/- pertains to Chalta No.4(2) of P.T. Sheet No.148. Since the matter as regards Chalta No.4(2) has been remanded to the reference Court, it is prayed by the respondents that the amount in respect of the said chalta number being Rs.4,85,109/- along with interest may be

directed to be invested in any nationalised Bank.

In the circumstances, the applicant is allowed to withdraw the sum of Rs.9,82,547/- along with the accrued interest which is lying in this Court. The respondents are also allowed to deposit the balance amount of Rs.7,40,314/- in this Court in respect of Chalta No.4(1) of P. T. Sheet No.148. When the said amount is deposited by the respondents, the applicant is allowed to withdraw the same.

The applicant is also allowed to withdraw the sum Rs.2,000/- deposited by the respondents in this Court towards the costs awarded to the applicant in condonation of delay application in respect of both the chalta numbers. The sum of Rs.4,85,109/- along with accrued interest is directed to be invested in any nationalised Bank, initially for a period of two years and thereafter to be renewed from time to time if necessary. The application shall stand disposed of accordingly.

S.S. PARKAR, J.